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*Attorneys for Defendant N*

*Start dba Rainbow Canyon Retreat (“Fresh Start”)*

**UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF NEVADA**

DAVID WELCH, a Texas Citizen;  
STACY WELCH, a Texas Citizen; and  
JACK WELCH, a Texas Citizen,

### **Plaintiffs.**

VS.

NARCONON FRESH START d/b/a  
RAINBOW CANYON RETREAT, a  
California Corporation;  
ASSOCIATION FOR BETTER  
LIVING AND EDUCATION  
INTERNATIONAL; NARCONON  
INTERNATIONAL and DOES 1-100,  
ROE Corporations I-X, inclusive.

### Defendants.

CASE NO. 2:14-cv-00167-JCM-CWH

# **STIPULATION AND ORDER RE PLAINTIFF'S OBJECTION TO THE MAGISTRATE JUDGE'S ORDER RE MONETARY SANCTIONS**

1 IT IS HEREBY STIPULATED by and between Plaintiff JACK WELCH,  
2 through his counsel of record, Artemus W. Ham, IV of EGLET PRINCE, and  
3 Defendant NARCONON FRESH START, dba Rainbow Canyon Retreat, through  
4 its counsel of record, William H. Forman of Scheper Kim & Harris LLP.

5  
6 WHEREAS, on August 17, 2015, the Honorable Magistrate Judge Carl W.  
7 Hoffman granted Narconon Fresh Start's Motion to Compel a second day of Jack  
8 Welch's Deposition, and ordered that Plaintiff Jack Welch shall bear Fresh Start's  
9 costs and fees associated with the motion to compel and the taking of the second day  
10 of Jack Welch's deposition ("Order"; Doc. #107);

11  
12 WHEREAS, the Magistrate Judge also ordered the parties to meet and confer  
13 regarding resolution of such fees and costs;

14  
15 WHEREAS, on August 31, 2015, Jack Welch filed objections ("Objections")  
16 to the August 17, 2015 Order in an abundance of caution to ensure that a timely  
17 objection was filed, stating that such objections were in part premature given that,  
18 as of that date, Fresh Start had not yet taken the second day of Jack Welch's  
19 deposition, and thus no final order for fees and costs had been entered;

20  
21 WHEREAS, Fresh Start conducted the second day of Jack Welch's deposition  
22 on September 3, 2015, and the parties have been conferring on the amount of fees  
23 and costs within the context of other discovery issues;

24  
25 WHEREAS, Fresh Start's response to Jack Welch's Objections is due on or  
26 by September 17, 2015;

27  
28 Plaintiff Jack Welch and Narconon Fresh Start request that Jack Welch's

1 Objections be held in abeyance until such time as the Magistrate Judge enters an  
2 order awarding Narconon Fresh Start an exact dollar amount for fees and costs.  
3 Pursuant to Fed. R. Civ. P. 72(a), Jack Welch will then have 14 days to file  
4 supplemental objections to such order.

5  
6 Dated this 14th day of September, 2015. Dated this 14th day of September, 2015.

7 SCHEPER KIM & HARRIS LLP

8  
9 EGLET PRINCE LAW GROUP

10 By: /s/ William H. Forman  
11 David C. Scheper, CA Bar 120174  
12 William H. Forman, CA Bar 150477  
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16 By: /s/ Artemus W. Ham, IV  
17 Robert T. Eglet, Esq. NV Bar 3402  
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19 400 South Seventh Street, 4th Floor  
20 Las Vegas, Nevada 89101

21 and

22 and

23 S. Brent Vogel, Esq. NV Bar 6858  
24 Alayne M. Opie, Esq. NV Bar 12623  
25 LEWIS BRISBOIS BISGAARD &  
26 SMITH LLP  
27 6385 S. Rainbow Blvd., Suite 600  
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29 Attorneys for Defendant Narconon Fresh  
30 Start dba Rainbow Canyon Retreat

31 Attorneys for Plaintiffs

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## ORDER

IT IS HEREBY ORDERED, ADJUDGED, and DECLARED that Plaintiff's Objections (Doc. #110) are hereby held in abeyance. In the event the Magistrate Judge enters an order consistent with the Order of August 17, 2015 (Doc. #107) awarding an exact dollar amount of fees and costs to Narconon Fresh Start, Plaintiff Jack Welch shall have 14 days from such order to file a supplement to his objections.

## IT IS SO ORDERED.

**10** Dated this \_\_\_\_ day of September 2015

## United States District Court Judge

15 | Respectfully submitted by:

16 SCHEPER KIM & HARRIS LLP

17 By: /s/ William H. Forman

J. /S/ William H. Forman  
18 DAVID C. SCHEPER (Admitted *Pro Hac Vice*)  
19 WILLIAM H. FORMAN (Admitted *Pro Hac Vice*)  
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*Attorneys for Defendant Narconon Fresh*  
*Start dba Rainbow Canyon Retreat*

**CERTIFICATE OF SERVICE**

Pursuant to FRCP 5(b), I certify that I am an employee of SCHEPER KIM & HARRIS LLP, and that on this 14th day of September, 2015, I did cause a true copy of **STIPULATION AND ORDER RE PLAINTIFFS' OBJECTION TO THE MAGISTRATE JUDGE'S ORDER RE MONETARY SANCTIONS** to be served via electronic service by the U.S. District Court CM/ECF system to the parties on the Electronic Filing System.

By: /s/ Michelle Murphy  
An Employee of SCHEPER KIM &  
HARRIS LLP